



The Commonwealth of Massachusetts

Office of Campaign & Political Finance

One Ashburton Place, Boston 02108

727-8352

Dennis J. Duffin
Director

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AO-87-12

Joseph B. McIntyre, Esquire
81 Hawthorn Street
New Bedford, MA 02740

Dear Mr. McIntyre:

This letter is in response to your recent request for an advisory opinion concerning the application of M.G.L. c.55 to a fundraiser to be held jointly by a political committee and a charitable organization.

Massachusetts campaign finance law prohibits business corporations from giving, paying, expending or contributing any money or other valuable thing directly or indirectly, for the purpose of aiding, promoting or preventing the nomination or election of any person to public office. M.G.L. c.55, §8.

A fundraiser held jointly by a political committee and a charitable organization would, of necessity, require shared expenses. At a minimum, expenses for renting the banquet hall and providing food and drink would be shared. It is conceivable solicitations/invitations would also be jointly prepared and mailed.

Because of the joint nature of this activity, identifiable individual action by each of the political committee and the charitable organization would be difficult to ascertain, even with the most careful accounting. There can be no assurance that any corporate benefit enjoyed by the charitable organization would not be passed along, directly or indirectly, to the political committee.

A joint fundraiser as you have proposed would therefore not be permitted under M.G.L. c. 55. The political committee, however, could sponsor a fundraiser for its own benefit, paying all expenses, and provide a table or other facility for the charitable organization at the fundraiser. The charitable organization would thus confer no benefit on the political committee, but could itself benefit from having access to those people attending the political committee's fundraiser.

Should you have additional questions please do not hesitate to call this office.

Very truly yours,

Dennis J. Duffin

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Director